

CONCURRENT RESOLUTIONS HAVING FORCE AND EFFECT OF LAW

Revised Statutes of Missouri 2004

Concurrent Resolutions Having Force and Effect of Law

BE IT FURTHER RESOLVED that pursuant to Section 28 of Article IV of the Missouri Constitution, this resolution shall not bind future General Assemblies to make any appropriations for this purpose although it is the present intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

BE IT FURTHER RESOLVED that the intent of the General Assembly is that no funds shall be appropriated to pay the state's share on such revenue bonds until fiscal year 2005, unless further legislative action authorizes such payment prior to fiscal year 2005; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the University of Missouri in implementing the project and in issuing such revenue bonds for the state's share of the project cost; and
2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 12, 2001

2001 — SCR 6. Establishes April 6th of each year as Tartan Day in Missouri.

WHEREAS, the Declaration of Arbroath, the Scottish Declaration of Independence, from which the American Declaration of Independence was modeled, was signed on April 6, 1320; and

WHEREAS, Scottish Americans played a major role in the founding of this Nation, almost half of the signers of our Declaration

of Independence and the governors of nine of the original 13 states were of Scottish descent; and

WHEREAS, Scottish Americans helped shape this nation in its formative years, guided it through troubled times, and have made invaluable contributions to America in the fields of science, technology, medicine, government and many other areas; and

WHEREAS, the members of the Missouri General Assembly wish to salute to all Americans of Scottish descent as they celebrate their heritage:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare April 6th of each year as Tartan Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for St. Andrews Society of St. Louis; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate shall submit this resolution to the Governor for his approval or rejection pursuant to the Constitution of Missouri.

Approved July 13, 2001

2002 — HCR 16. An act by concurrent resolution and pursuant to Title 40, Section 187, United States Code, to request the Joint Committee on the Library of Congress to approve the replacement of a statue in the Statuary Hall of the Capitol of the United States.

WHEREAS, 40 U.S.C. Section 187a permits a state to ask the Joint Committee on the Library of Congress for replacement of a statue it provided for display in the National Statuary Hall in the Capitol of the United States after the passage of the required display time period specified in 40 U.S.C. Section 187a; and

WHEREAS, that request must be made

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by a resolution adopted by the legislature of the state and approved by the Governor; and

WHEREAS, in 1895, the Missouri General Assembly authorized placement of statues of Thomas Hart Benton and Francis Preston Blair in Statuary Hall, which statues were placed there in 1899; and

WHEREAS, Francis Preston Blair was an outstanding Missourian, a member of Congress, a major general in the United States Army during the Civil War, and a candidate for Vice President of the United States; and

WHEREAS, Harry S Truman was the most important statesman Missouri ever gave the nation, an outstanding county official, United States Senator, Vice President and President of the United States who brought the Second World War to completion, led the free world at the beginning of the Cold War, and stood for fairness and opportunity for all Americans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby request approval from the Joint Committee on the Library of Congress to replace the statue of Francis Preston Blair with a statue of Harry S Truman as one of the two statues Missouri is entitled to display in the Statuary Hall of the United States Capitol; and

BE IT FURTHER RESOLVED that the Missouri General Assembly requests the Statue of Francis Preston Blair be returned to the State of Missouri as permitted under 40 U.S.C. Section 187a(d); and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection; and

BE IT FURTHER RESOLVED that upon approval by the Governor, the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Joint Committee on the Library of Con-

gress in care of the chair of the committee and to each member of the Missouri Congressional delegation.

Approved July 12, 2002

2002 — HCR24. Relating to approval of a project for an agricultural research and demonstration project and related buildings and facilities for the Springfield campus of Southwest Missouri State University funded in part by revenue bonds secured by a pledge of future appropriations of the General Assembly.

WHEREAS, Section 21.527, RSMo, requires approval of the General Assembly that certain projects to be funded by revenue bonds shall be secured by a pledge of future appropriations to be made by the General Assembly; and

WHEREAS, the General Assembly is desirous of approving a project for an agricultural research and demonstration center project and related building and facilities for the Springfield campus of Southwest Missouri State University to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly; and

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby approve the following:

(1) An agricultural research and demonstration center project and related building and facilities for the Springfield campus of Southwest Missouri State University;

(2) A total estimated project cost, including furnishings and equipment, of \$6,950,000;

(3) A maximum project cost of \$2,604,360, the State's Share, to be funded by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly;

(4) The issuance of revenue bonds in an amount sufficient to pay the State's Share of the project cost, plus debt service reserve,

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capitalized interests and costs of issuance, to be payable over a term not to exceed twenty years; and

(5) The remainder of the project cost to be funded by contributions and other funds to be provided by Southwest Missouri State University; and

BE IT FURTHER RESOLVED that the members of the General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

BE IT FURTHER RESOLVED that the members of the General Assembly authorize and direct the Office of Administration and such other state departments, offices, and agencies as the Office of Administration may deem necessary or appropriate to:

(1) Assist the staff and advisors of Southwest Missouri State University in implementing the project and in issuing such revenue bonds for the State's Share of the project cost; and

(2) Execute and deliver documents and certificates related to the revenue bonds consistent with the terms of this resolution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 12, 2002

2002 — HCR 25. Relating to the creation of the Missouri Commission on the Delta Regional Authority.

WHEREAS, the President and United States Congress have created the Delta Regional Authority; and

WHEREAS, the Delta Regional Authority would bring the resources of a Federal-State partnership to the region for economic growth and provide funding for infrastructure and economic development needed to make prosperity possible in the Delta; and

WHEREAS, the federally designated

Authority covers 29 counties in the Southeastern and South Central State of Missouri; and

WHEREAS, the affected counties in Missouri desire to participate with the Delta Regional Authority in any policy development and programs for the region:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate concurring therein, hereby authorize the creation of the "Missouri Commission on the Delta Region Authority"; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Region Authority shall make recommendations to the General Assembly and the Governor regarding the Delta Region Authority. Such recommendations may cover principles and procedures for policy development; development of a state plan; prioritization of funding with consideration to poverty, joblessness, lack of job availability, literacy rates, and level of education; and economic and infrastructure development; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Region Authority may accept general revenue funds and other funds as may be appropriated to it; and

BE IT FURTHER RESOLVED that the Missouri Commission on the Delta Region Authority shall be composed of:

(1) Five regional planning commission members or executive directors, one from each of the regional planning commissions serving the area, appointed by the governor;

(2) Three members of the public appointed by the governor, with one member representing the interests of agriculture, one member representing business and industry, and one member representing education;

(3) Four members of the House of Representatives, appointed by the Speaker, representing the counties in the region;

(4) Two members of the Senate, appointed by the President Pro Tem of the

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Senate, representing the counties in the region; and

(5) The Directors of the Departments of Economic Development, Transportation, and Agriculture; the Commissioner of Education; and the Commissioner of Higher Education as ex officio members; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 12, 2002

2002 — SCR 47. Relating to the Poultry Industry Committee.

WHEREAS, the poultry industry is a vital, profitable and important industry in this state; and

WHEREAS, the General Assembly wishes to maintain and enhance the positive economic impacts while making every attempt to eliminate negative aspects of the industry; and

WHEREAS, the poultry industry produces waste products which have significantly impacted the environment of the state; and

WHEREAS, there exists a need for a study of the economic and environmental impact of the poultry industry in the state, especially the impacts this industry has on sensitive environmental areas:

NOW, THEREFORE BE IT RESOLVED, that the members of the Missouri Senate, Ninety-First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby authorize the creation of a "Poultry Industry Committee" which shall review and evaluate both the economic impact of the poultry industry, waste disposal issues and environmental impacts of this industry, and make recommendations on further action or legislative remedies, if any, to be taken as necessary; and

BE IT FURTHER RESOLVED that such Committee shall be composed of twenty-seven members, one member to be

a member of the Senate to be appointed by the President Pro Tem of the Senate, one member to be a member of the House of Representatives to be appointed by the Speaker of the House, two county commissioners or their designees, a representative from the Food and Agricultural Policy Research Institute (FAPRI), a representative of the Environmental Protection Agency (EPA), a representative of the Department of Natural Resources, a representative of the United States Department of Agriculture, a representative of the Natural Resources Conservation Services (NRCS), a representative of the university extension system, a representative of the poultry federation, a representative of the Missouri Farmer's Association, a representative of the Farm Bureau, a representative of the Department of Conservation, a representative of the University of Missouri Department of Agriculture, Food, and Natural Resources, a representative of the Southwest Missouri State University Department of Agriculture, a representative of the University of Missouri Commercial Agriculture Program, a member appointed by the Resource Conservation & Development Council, a representative of the Department of Economic Development, a representative of the Department of Agriculture, a representative of the Clean Water Commission, two active poultry farmers, two poultry industry contractors or processors, a person active in the processing/value-added portion of poultry waste, one person from Missouri Farm Credit Services. Each member of the Committee shall serve until December 31, 2003; and

BE IT FURTHER RESOLVED that the Committee may conduct its business by various means but shall meet no less than twice each year as a full Committee; and

BE IT FURTHER RESOLVED that all state agencies shall cooperate with the Committee in carrying out its duties, including allowing access to closed records, provided that the Committee shall not disclose any identifying information con-

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tained in such records closed pursuant to statute or general order and any such information in the custody of the Committee shall not be discoverable to the same extent as when in the custody of the parent agency; and

BE IT FURTHER RESOLVED that all members shall serve without compensation; and

BE IT FURTHER RESOLVED that the Office of Administration shall provide funding, administrative support, and staff for the effective operation of the Committee; and

BE IT FURTHER RESOLVED that the Committee shall study problems and solutions, collect information and provide recommendations in a report to the General Assembly before December 31, 2002;

BE IT FURTHER RESOLVED that the Committee shall submit its final report to the General Assembly no later than December 31, 2003; and

BE IT FURTHER RESOLVED that the Poultry Industry Committee shall terminate December 31, 2003; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 12, 2002

2002 — SCR 58. An act by concurrent resolution and pursuant to Article IV, Section 8, Missouri Constitution, to disapprove Rule 20 CSR 500-6.700 and direct the Department of Insurance to promulgate an emergency rule and a proposed rule as required by Section 287.135, RSMo.

WHEREAS, in 1993, the General Assembly enacted Senate Bill No. 251 containing the provision now codified at Section 287.135, RSMo, which requires the Department of Insurance to promulgate rules to determine the criteria by which a workers' compensation insurer may reimburse fees charged by a managed care organization ("MCO"); and

WHEREAS, The Department of Insurance promulgated Rule 20 CSR 500-6.700 which would become effective thirty days after publication in the Code of State Regulations; and

WHEREAS, the Department of Insurance has filed proposed rulemakings on at least 7 occasions but have failed to finalize such proposed rulemakings with the filing of an order of rulemaking with the Joint Committee on Administrative Rules and the Secretary of State; and

WHEREAS, the Joint Committee on Administrative Rules has held at least two hearings on previous rules proposed by the Department; and

WHEREAS, nearly ten years have passed since the Department of Insurance was directed to promulgate rules to determine the criteria by which workers' compensation insurers may reimburse fees charged by managed care organizations; and

WHEREAS, numerous managed care organizations were organized for the purpose of providing services in workers' compensation matters; and

WHEREAS, workers' compensation insurers have denied claims for payment from managed care organizations due to the absence of the rule required pursuant to Section 287.135, RSMo; and

WHEREAS, numerous managed care organizations have suffered financial losses due to their denied claims for services; and

WHEREAS, the Joint Committee on Administrative Rules held a hearing on March 7, 2002, and by a unanimous vote disapproved Rule 20 CSR 500-6.700 and recommends that the General Assembly act to disapprove and suspend Rule 20 CSR 500-6.700; and

WHEREAS, the Joint Committee on Administrative Rules directed the Department of Insurance to promulgate an emergency rule and a proposed rule with a sunset of December 31, 2002, which would provide a mechanism to pay managed care organizations, including those whose

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claims have been denied since the passage of Senate Bill No. 251 in 1993, based on the absence of a rule as required pursuant to Section 287.135, RSMo; and

WHEREAS, the Department of Insurance agreed to abide by the directions of the Joint Committee on Administrative Rules relating to the promulgation of an emergency and proposed rule; and

WHEREAS, the Department of Insurance to date has failed and refused to abide by the directions of the Joint Committee on Administrative Rules relating to the promulgation of an emergency and proposed rule:

NOW, THEREFORE, BE IT RESOLVED, that the members of the Missouri Senate, Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, upon concurrence of a majority of the members of the Senate and a majority of the members of the House of Representatives, hereby disapprove proposed Rule 20 CSR 500-6.700; and

BE IT FURTHER RESOLVED, that the General Assembly hereby directs the Department of Insurance to promulgate an emergency rule and a proposed rule with a sunset of December 31, 2002, which would provide a mechanism to pay managed care organizations, including those whose claims have been denied since the passage of Senate Bill No. 251 in 1993, based on the absence of a rule as required pursuant to Section 287.135, RSMo; and

BE IT FURTHER RESOLVED that a copy of the foregoing be submitted to the Secretary of State so that the Secretary of State may publish in the Missouri Register, as soon as practicable, notice of the revocation upon this resolution having been signed by the Governor or having been approved by two-thirds of each house of the Ninety-first General Assembly, Second Regular Session, after veto by the Governor as provided in Article III, Sections 31 and 32, and Article IV, Section 8 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that a properly inscribed copy be presented to the Governor in accordance with Article IV, Section 8 of the Missouri Constitution.

Approved July 12, 2002

2002 — SCR 74. Designates the Inn and Conference Center at Roaring River State Park located in Barry County as the "Emory Melton Inn and Conference Center".

WHEREAS, the rugged and scenic landscape of Roaring River State Park is a landmark of Barry County and southwest Missouri; and

WHEREAS, Roaring River State Park provides hours of enjoyment for its visitors who partake in its fishing, hiking and camping opportunities; and

WHEREAS, the Inn and Conference Center at Roaring River State Park is the signature building in the Park; and

WHEREAS, Emory Melton was a state Senator representing Barry County and the area encompassing the Roaring River State Park for many years; and

WHEREAS, former state Senator Emory Melton was instrumental in furthering the development and enjoyment of the Park; and

WHEREAS, without Senator Melton's efforts, the Park would not be the tourist attraction that it is today; and

WHEREAS, Senator Melton deserves permanent recognition of his work on behalf of the Park:

NOW, THEREFORE, BE IT RESOLVED that the members of the Senate of the Ninety-first General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby designate that the Inn and Conference Center at Roaring River State Park located in Barry County shall hereinafter be known as the "Emory Melton Inn and Conference Center"; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this

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resolution for the Governor and the Director of the Department of Natural Resources.

Approved May 29, 2002

2003 — HCR 15. Relating to the designation of March 6th as Lymphedema D-Day in Missouri.

WHEREAS, lymphedema is an accumulation of lymphatic fluid that causes swelling in the arms, legs, or other areas of the body and affects both men and women; and

WHEREAS, the swelling caused by lymphedema can lead to severe infection or loss of the use of limbs, and patients suffering from lymphedema must endure physical discomfort and disfigurement and cope with the distress caused by these symptoms; and

WHEREAS, the single largest group of people who get lymphedema are cancer patients, including breast, prostate, gynecological, head, neck, lung, sarcoma, and melanoma patients; and

WHEREAS, in the Western world, breast cancer and its treatments are the leading causes of lymphedema, and more than two million women living with breast cancer in this country are at risk for development of lymphedema throughout their lifetimes; and

WHEREAS, recent studies have indicated that twenty percent of breast cancer patients will get lymphedema after surgery and radiation; and

WHEREAS, according to the National Cancer Institute, there are a reported eight and a half million Americans living after a diagnosis of cancer, of which about two million are breast cancer survivors; and

WHEREAS, no drug or effective surgical treatment for lymphedema currently exists; and

WHEREAS, while research in all areas of lymphedema has been notably limited; the University of Missouri Health Care System is currently conducting groundbreaking research at the University of Missouri's Ellis-Fischel Cancer Center and Sinclair School of Nursing through a pro-

ject funded by a \$1.6 million grant from the National Institutes of Health and a grant from the University of Iowa Gerontological Research Nursing Intervention center. The research findings will increase understanding of lymphedema risk factors, onset, and intervention, thereby helping to improve quality of life in cancer survivorship; and

WHEREAS, this research, led by nationally recognized Dr. Jane Armer and conducted by a team of multi-disciplinary researchers, will focus on the psychosocial impacts of lymphedema and the affects of lymphedema on families and addresses the under-diagnosed and under-recognition of this condition by health care providers; and

WHEREAS, lymphedema, which has no cure and can occur at any time, has a severe financial, physical, and psychological impact on patients; and

WHEREAS, each year on March 6th, the National Lymphedema Network sponsors Lymphedema D-Day to honor patients and to raise awareness of the treatment and severity of this condition:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, First Regular Session, the Senate concurring therein, hereby designate March 6th, in 2003 and each subsequent year, as Lymphedema D-Day in Missouri; and

BE IT FURTHER RESOLVED that the members of the General Assembly encourage the citizens of the State of Missouri to honor and support the courageous patients living and coping with this debilitating condition; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 11, 2003

2003 — SCR 8. Relating to changing the name of the St. Louis Central Office of the Division of Workforce Development to the "Nathaniel J. "Nat" Rivers Office of the Division of Workforce De-

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velopment".

WHEREAS, Nathaniel J. "Nat" Rivers served the people of the City of St. Louis as a member of the Missouri House of Representatives beginning in 1969, and he continued to serve for the next fourteen years; and

WHEREAS, Nat Rivers was born in Cache, Illinois and educated at Sumner High School in Cairo, Illinois, Southern Illinois University at Carbondale and St. Louis University; and

WHEREAS, Nat Rivers, a real estate and insurance broker, was very active in his community, and served on the Board of Directors of Mid-City Rental Company, Union Sarah Community Corporation, West Side Redevelopment Corporation, West End Congress, Union-Sarah Economic Development Corporation and West Side Community Gardens; and

WHEREAS, Nat Rivers was recognized for his contributions to the St. Louis community through numerous awards, including the St. Louis Citizens Award in Community Service in 1979, the Harris-Stowe College Award in recognition for his concern for Higher Education and Human Development in 1978, and the Dr. Martin Luther King Jr. Human Rights Award in 1979; and

WHEREAS, such awards only begin to recognize Nat Rivers' true accomplishments and contributions to the citizens of St. Louis and the State of Missouri; and

WHEREAS, the most appropriate way to recognize an individual of Nat Rivers' stature is to name a public building after him; and

WHEREAS, the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, has no proper name; and

WHEREAS, this St. Louis Central Office provides much needed community services to persons in the St. Louis area, including job service and development, job corps, work opportunity and welfare-to-work information, job training assistance,

veterans service and unemployment benefit information; and

WHEREAS, Nat Rivers' contributions and service to the community of St. Louis are exemplary and distinguished:

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, proclaims that the St. Louis Central Office of the Division of Workforce Development, located at 4811 Delmar Boulevard in the City of St. Louis, be hereby named the "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development", and that a sign or signs of appropriate size, lettering and design be constructed and placed on said office property with the name "Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development" on said sign, which shall be readily legible from the street; and

BE IT FURTHER RESOLVED that the Director of the Department of Economic Development shall promptly notify those members of the General Assembly whose constituents are served by the Nathaniel J. "Nat" Rivers Office of the Division of Workforce Development, the Secretary of the Senate and the Chief Clerk of the House of Representatives with the date in which said sign or signs are to be placed on the property; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 11, 2003

2003 — SCR 11. Relating to the creation of the comprehensive patient education and health care cost improvement pilot project.

WHEREAS, in order to continue to provide improved services to patients in this state, improving patient information regarding elective surgical procedures and their risks and complications is needed; and

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WHEREAS, the lack of information regarding surgery, surgical risks, and post surgical complications contributes to patient dissatisfaction, over-utilization of the health care system, malpractice claims, and the rising cost of healthcare; and

WHEREAS, the Department of Insurance and any appropriate health care institution may evaluate the establishment of the "Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program" which will develop and incorporate effective patient education programs into the preoperative consultation and informed consent process; and

WHEREAS, the Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program shall be subject to appropriations and implemented no later than six months after funding for the pilot program is made available if the department, in its judgment, concludes such program is beneficial to the health care system of Missouri, and shall have a duration of three years; and

WHEREAS, the Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program shall, prior to the patient consenting to elective surgery:

(1) Use an educational system that visually explains to the patient in simple terms the entire surgical procedure;

(2) Fully discloses to the patient in simple terms all known complications and their frequencies based on accepted medical literature;

(3) Allows the patient access to the education outside the surgeon's office;

(4) Fully documents the patient education process;

(5) Collects outcome data after surgery; and

(6) Fully disclose to the patient the value of second opinions from financially disinterested parties; and

WHEREAS, the Department of Insurance shall monitor the pilot program and report to the Director of the Department of

Insurance and the General Assembly on the effectiveness of such program by the second week of the regular session of the General Assembly in the next session following completion of the Pilot Program; and

WHEREAS, the report shall include an analysis of the advantages and disadvantages of the patient education process, including but not limited to:

(1) The effect of the Pilot Program on the reduction of medical malpractice claims;

(2) Patient satisfaction concerning the education process;

(3) Doctors' feedback concerning the Pilot Program;

(4) Total number of surgical procedures performed;

(5) A comparison of Medicaid dollars spent on relevant surgical procedures versus the previous year and projected year; and

(6) Suggestions for improving the educational system or its implementation, if any;

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Second General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the Department of Insurance to create the "Comprehensive Patient Education and Healthcare Cost Improvement Pilot Program". If, after the evaluation called for in this resolution, the department concludes such pilot program is beneficial to the health care system of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 11, 2003

2003—SCR 13. Establishing a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research.

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WHEREAS, the current budgetary situation has brought about a heightened necessity to re-examine the state's expenditures; and

WHEREAS, the state performs many functions which are similarly performed by private industry; and

WHEREAS, certain aspects of state administration and services may be more efficiently served by private involvement; and

WHEREAS, the Joint Committee on Legislative Research is established pursuant to the Constitution to carry out the duties assigned to it by law:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-second General Assembly, First Regular Session, the House of Representatives concurring therein, that we hereby create a Subcommittee on Competition and Privatization within the Joint Committee on Legislative Research; and

BE IT FURTHER RESOLVED, the subcommittee shall identify ways to reduce cost to state government and increase quality of state services to the citizens of this state; and

BE IT FURTHER RESOLVED, the subcommittee shall perform both a competition review and privatization review and make recommendations based on its findings; and

BE IT FURTHER RESOLVED that the Subcommittee herein established shall consist of sixteen members of which four shall be members of the Senate appointed by the President Pro Tem of the Senate of which at least two shall be members of the minority party, four shall be members of the House of Representatives of which two shall be appointed by the Speaker of the House of Representatives and two of which shall be members of the minority party appointed by the Minority Floor Leader with approval of the Speaker of the House of Representatives, four shall be representatives of private businesses appointed by the President Pro Tem of the Senate of which

at least two shall be members of the minority party, four shall be representatives of private business appointed by the Speaker of the House of Representatives of which at least two shall be members of the minority party, and the President Pro Tem of the Senate and the Speaker of the House of Representatives shall collaborate to ensure that the membership of the Subcommittee reflects adequate minority and gender representation; and

BE IT FURTHER RESOLVED that the Joint Committee on Legislative Research shall provide the necessary staff resources for the Subcommittee from its own staff, although it may choose to call upon the additional resources of the Senate and House Research offices; and

BE IT FURTHER RESOLVED that the subcommittee is authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective provided herein; and

BE IT FURTHER RESOLVED that within funds available to the committee, it may employ necessary consulting services to assist in its objectives and provide for reasonable reimbursement of non-legislative members of the committee; and

BE IT FURTHER RESOLVED that the subcommittee shall hold its initial meeting no later than the first Friday after the start of the first September Veto Session of the Ninety-second General Assembly and shall meet at least quarterly thereafter; and

BE IT FURTHER RESOLVED that the subcommittee must deliver its first report to the Governor, General Assembly, the state Auditor, and the Joint Committee on Legislative Research with its findings and recommendations by January 15, 2004 and a second report to the same by December 31, 2004; and

BE IT FURTHER RESOLVED that the subcommittee shall expire at the end of the Ninety-second General Assembly; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to

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prepare a properly inscribed copy of this resolution for the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Joint Committee on Legislative Research.

Approved July 11, 2003

2004—HCR 12. Relating to the designation of Miss Missouri as an official hostess of the State of Missouri.

WHEREAS, the Miss America Organization provides an opportunity for young women in Missouri to compete for the honor of representing the State of Missouri in national competition; and

WHEREAS, the winner of this state's Miss America preliminary, crowned as Miss Missouri, is judged worthy to act as a role model for young women across the State of Missouri; and

WHEREAS, the winner of this state's Miss America preliminary, crowned as Miss Missouri, capably represents the State of Missouri in national competition and devotes countless hours in public appearances throughout the State during her year of service as Miss Missouri:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-second General Assembly, Second Regular Session, the Senate concurring therein, hereby designates Miss Missouri who is our state's representative in the Miss America National Competition as an official hostess for the State of Missouri during her year of service as Miss Missouri:

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 2, 2004

2004 — SCR 51. Relating to recognition of the Ellis Fischel Cancer Center.

WHEREAS, on January 11, 1937, Governor Lloyd C. Stark of Missouri in his inaugural address stressed the desirability and importance of a cancer hospital, which

should be available to "the humblest citizen"; and

WHEREAS, Senator Michael Kinney of St. Louis introduced a cancer hospital bill to the 59th General Assembly, a measure which was subsequently passed and signed by Governor Stark on May 28, 1937; and

WHEREAS, the bill provided for the erection and operation of the first state cancer hospital in the country and provision for the establishment of diagnostic clinics, and for the Governor to appoint a State Cancer Commission to supervise the maintenance and operation of the state's cancer program and to appoint a hospital administrator; and

WHEREAS, the cornerstone for this historic state cancer hospital was laid December 9, 1938, and the hospital opened in 1940 as the Ellis Fischel State Cancer Hospital in honor of Dr. Ellis Fischel, a St. Louis surgeon who was a staunch advocate and chairman of the Missouri State Cancer Commission who suffered an early and unfortunate death before the hospital was completed; and

WHEREAS, the Ellis Fischel State Cancer Hospital has a long and historical record of compassionate cancer treatment for the citizenry of Missouri and beyond, and of cancer outreach education and prevention activities that have engaged virtually every county in the State of Missouri; and

WHEREAS, the Ellis Fischel State Cancer Hospital, which has been owned and operated by the State of Missouri under the authority of the Missouri State Cancer Commission for fifty years, was transferred by Governor John Ashcroft from management by the Missouri Department of Health and Senior Services to that of the Curators of the University of Missouri, a sovereign entity of the State of Missouri, on November 1, 1990; and

WHEREAS, this transfer of management and the merger of the highest quality cancer research, education, and treatment programs between the staffs of the Ellis

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Fischel State Cancer Hospital and the Medical School of the University of Missouri-Columbia, which resulted in renaming the program the Ellis Fischel Cancer Center, has resulted in a State Cancer Hospital that provides research in the causes, prevention, and treatment of cancer of the very highest quality care for Missourians:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-second General

Assembly, the House of Representatives concurring therein, unanimously join in extending our recognition of the history and service of the Ellis Fischel Cancer Center as the designated cancer institute of the State of Missouri; and

BE IT FURTHER RESOLVED that this resolution be sent to the governor for his approval or rejection pursuant to the Missouri Constitution.

Approved July 9, 2004

APPENDIX H
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